



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/812,280	03/29/2004	Seung-Min Park	678-1280 (P11401)	2265
28249	7590	04/19/2005	EXAMINER	
DILWORTH & BARRESE, LLP 333 EARLE OVINGTON BLVD. UNIONDALE, NY 11553			BROUSSARD, COREY M	
			ART UNIT	PAPER NUMBER
			2835	

DATE MAILED: 04/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

sm

Office Action Summary	Application No.	Applicant(s)	
	10/812,280	PARK ET AL.	
	Examiner	Art Unit	
	Corey M. Broussard	2835	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities: The use of the word "rotatably" is grammatically incorrect. The term should be "rotatable". Appropriate correction is required.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claim 6 recites the limitation "optical projection system" in line 2. There is insufficient antecedent basis for this limitation in the claim. The parent claim recites merely an "optical system".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

5. Claims 1, 3, 5, 7, and 8 are rejected under 35 U.S.C. 102(a) as being anticipated by Dickie (US Pub 2003/0041206). With respect to claim 1, Dickie teaches a cradle for a portable terminal comprising: a desk-top housing (104); a cradle housing (120)

having a recess (see Fig. 3) for cradling the portable terminal (102, [0016] line 1), the cradle housing being mounted in the desk-top housing such that a lower portion (300) of the cradle housing is retractable within ([0023] lines 5-6) and protractible out from ([0022] lines 4-5) the desk-top housing; and an optical system (310, see [0024] lines 5-9) mounted within the cradle housing and emitting a beam in a predetermined direction.

6. With respect to claim 3, Dickie teaches wherein the desk-top housing comprises a display unit (110), at least one key disposed adjacent to the display unit (114), and at least one lamp (124) disposed adjacent to the key and the display unit.

7. With respect to claim 5, Dickie teaches, wherein the optical system (310) is mounted within a side of the lower rear portion of the cradle housing (see Fig. 3).

8. With respect to claim 7, Dickie teaches wherein the cradle housing is rotatably mounted within the desk-top housing (see Fig. 3, the housing can rotate around various axis such as the latch 210 as seen in Fig. 3).

9. With respect to claim 8, Dickie teaches wherein only a rear section of the lower portion of the cradle housing is retractable within and protractible out from the desk-top housing (see Fig. 3, the latch side of portion 300 would extend outward when the latch is in an open position).

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and

Art Unit: 2835

the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dickie (US Pub 2003/0041206) in view of Block et al. (PN 5,113,403). Dickie teaches the device as applied to claim 1 above, but lacks specific teaching of a laser beam projector. Block teaches a laser beam projector (110) for communicating data between electronic devices. It would have been obvious to a person of ordinary skill in the art to use the laser data transmission device of Block with docking cradle of Dickie for the benefit forming a high bandwidth wireless connection with the portable device when docked.

12. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dickie (US Pub 2003/0041206) in view of Vossler (PN 6,104,606). For the basis of this rejection, it is taken to be understood that the optical system of claim 1 and the optical projection system of claim 6 are the same feature. Dickie teaches the device as applied to claim 1 above, but lacks an optical projection system that is concealed or exposed. Vossler teaches of an optical projection system that is concealed or exposed depending on the state of a locking mechanism. It would have been obvious to a person of ordinary skill in the art to combine the retractable optical system of Vossler with the cradle of Dickie to obtain an adjustable optical system controlled by the state of the cradle lower portion for the benefit of an optical system that was available for use when the portable terminal is not docked.

Response to Arguments

13. Applicant's arguments with respect to claims 1-8 have been considered but are moot in view of the new grounds of rejection. With respect to the response to the objection to "rotatably". Where applicant acts as his or her own lexicographer to specifically define a term of a claim, the written description must clearly define the claim term and set forth the uncommon definition so as to put one reasonably skilled in the art on notice that the applicant intended to so define that claim term. The applicant's assertion that "rotatably" is an adverb modifying the verb "mounted" does not clearly define the term. The word "rotatably" could not be found in several reference dictionaries (www.m-w.com, www.dictionary.com, and "The American Heritage College Dictionary" Fourth Edition). Therefore the Examiner maintains the objection.

Conclusion

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any

Art Unit: 2835

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Corey M. Broussard whose telephone number is 571 272 2799. The examiner can normally be reached on 7:30-5 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynn Feild can be reached on 571 272 2092. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CMB

cmb


LYNN FEILD
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2800